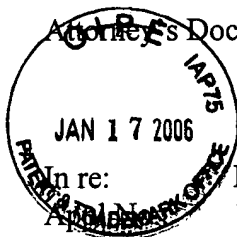


Attorney's Docket No. 048109/293994

PATENT



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Palpu *et al.*  
 10/539,427  
 Filed: June 20, 2005  
 For: HERBAL SOFT DRINK (As Amended)

Confirmation No.: 1130  
 Group Art Unit: To Be Assigned

Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

## RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application dated October 24, 2005, enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533  
 (Notice to File Missing Parts of Application)
- ☒ Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor(s)
- ☐ Declaration of Inventors which has been executed by the named inventor(s) and an Assignee Power of Attorney
- ☐ Applicant claims small entity status
- ☒ Check in the amount of \$130.00 to cover the surcharge under 37 C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(i)) fee for filing late.
- ☒ Other: Petition for Extension of Time and \$120.00 Extension of Time Filing Fee
- ☒ Any deficiency, additional fee, or credit may be charged to our  
 Deposit Account No. 16-0605.

01/20/2006 RTA001  
 00000005 10539427

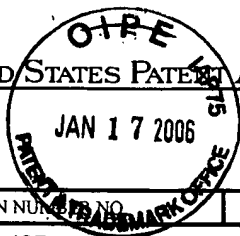
Respectfully submitted,

Edward R. Ergenzinger  
 Registration No. 47,549

<p><b>Customer No. 00826</b>  <b>ALSTON &amp; BIRD LLP</b>          Bank of America Plaza          101 South Tryon Street, Suite 4000          Charlotte, NC 28280-4000          Tel Raleigh Office (919) 862-2200          Fax Raleigh Office (919) 862-2260</p>	<p><b>CERTIFICATE OF MAILING</b>          I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 12, 2006</p> <p>Lynda Jo Pixley</p>
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UNITED STATES PATENT AND TRADEMARK OFFICE



OCT 26 2005

Received By  
 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 www.uspto.gov

U.S. APPLICATION NUMBER	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,427	Pushpangadan Palpu	048109/293994

INTERNATIONAL APPLICATION NO.	
PCT/IB02/05558	
I.A. FILING DATE	PRIORITY DATE
12/20/2002	

826  
 ALSTON & BIRD LLP  
 BANK OF AMERICA PLAZA  
 101 SOUTH TRYON STREET, SUITE 4000  
 CHARLOTTE, NC 28280-4000

CONFIRMATION NO. 1130

371 FORMALITIES LETTER



\*OC000000017308080\*

Date Mailed: 10/24/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/20/2005
- Copy of the International Search Report filed on 06/20/2005
- Copy of IPE Report filed on 06/20/2005
- Preliminary Amendments filed on 06/20/2005
- Request for Immediate Examination filed on 06/20/2005
- U.S. Basic National Fees filed on 06/20/2005
- Priority Documents filed on 06/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

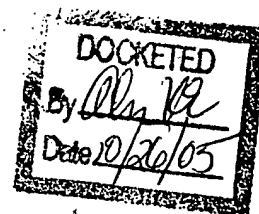
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALSTON & BIRD dln  
 RTA  
 RECEIVED 10/27/05  
 11/14/05



ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,427	PCT/IB02/05558	048109/293994

FORM PCT/DO/EO/905 (371 Formalities Notice)